## UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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:Civil Action No. 3:19-CV-291

Plaintiff,

:(JUDGE MARIANI)

V.

:(Magistrate Judge Carlson)

ANDREW SAUL,

Commissioner of Social Security,1

Defendant.

<u>ORDER</u>

AND NOW, THIS

DAY OF NOVEMBER 2019, upon review of

Magistrate Judge Carlson's Report and Recommendation ("R&R") (Doc. 14) for clear error or manifest injustice, IT IS HEREBY ORDERED THAT:

- 1. The R&R (Doc. 14) is **ADOPTED** for the reasons set forth therein;
- 2. Plaintiff's Appeal is **DENIED**;
- 3. The Commissioner of Social Security's decision is **AFFIRMED**;

The Clerk of Court is directed to CLOSE this case.

Robert D. Mariani

United States District Judge

<sup>&</sup>lt;sup>1</sup> Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure and 42 U.S.C. § 405(g), Commissioner Andrew Saul is automatically substituted as the named defendant in place of the former Acting Commissioner of Social Security, Nancy A. Berryhill. See Fed. R. Civ. P. 25(d) ("An action does not abate when a public officer who is a party in an official capacity dies, resigns, or otherwise ceases to hold office while the action is pending. The officer's successor is automatically substituted as a party").